IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RAINY GIBSON, :

Plaintiff, : CIVIL ACTION NO. 23-3677

v. :

:

TIP TOWING AND RECOVERY LLC; JASONE DISENSO, President; JOHN DOE TOW GUY 1; and JOHN DOE TOW GUY 2,

:

Defendants.

ORDER

AND NOW, this 2nd day of October, 2023, after considering the application for leave to proceed *in forma pauperis* (Doc. No. 6) and complaint (Doc. No. 4) filed by the *pro se* plaintiff, Rainy Gibson; and for the reasons set forth in the separately filed memorandum opinion, it is hereby **ORDERED** as follows:

- 1. The application for leave to proceed *in forma pauperis* (Doc. No. 6) is **GRANTED**, and the plaintiff has leave to proceed *in forma pauperis* in this matter;
 - 2. The complaint (Doc. No. 4) is **DEEMED** filed;
- 3. The complaint (Doc. No. 4) is **DISMISSED WITHOUT PREJUDICE** for lack of subject-matter jurisdiction; and
 - 4. The clerk of court is **DIRECTED** to **CLOSE** this case.

BY THE COURT:

/s/ Edward G. Smith EDWARD G. SMITH, J.